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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RAFAEL FERNANDEZ MARTINEZ

Plaintiff

CIVIL NO. 97-1289(JAF)

v.

JUAN LUIS ORTIZ MONTALVO, et al.

Defendants

NOTICE OF DEFICIENT PLEADING (BILL OF COSTS)

A Bill of Costs having been filed in this case pursuant to Fed. R. Civ. P. 54(d), 28 U.S.C. §§ 1920 et seq., the Taxation of Costs Guidelines (the "Guidelines"), and the Local Rules of this Court, the Clerk hereby gives notice of the following deficiencies in said pleading:

- ☐ Taxable costs are deemed waived due to non-compliance with limit set forth in the Guidelines, which provide that Bill of Costs shall be filed within ten (10) days after notice of entry of judgment.
- ☐ Taxable costs are not properly itemized.
- ☒ Bill of Costs was not verified by Certificate of Counsel pursuant to 28 U.S.C. § 1924, indicating that the itemized schedule of taxable costs is correct, that same were necessarily incurred in the case, and that services for which fees have been charged were actually and necessarily performed.
- ☒ Bill of Costs was not prepared on Bill of Costs Form AO-133 (Rev. 9/89) or substantially similar filing.
- ☒ As allowances or amounts claimed are not obvious on their face, party must file appropriate documentation or legal memorandum.
  - ☒ Claimed costs incident to taking of deposition are not supported by adequate documentation such as would allow proper taxation.
  - ☐ Other: ______________________________

WHEREFORE, claimant is granted ten (10) days from the date of this Notice, to correct deficiencies set forth herein. Failure to comply with the requirements set forth in this Notice, may constitute waiver of the right to recover all costs, other than the Clerk's costs which may be inserted in the judgment without application. In correcting the deficiencies set forth herein, claimant shall refer to and comply with the Taxation of Costs Guidelines available at the Clerk's Office and published at the U.S. District Court's Internet Website at www.prd.uscourts.gov

In San Juan, Puerto Rico, this 12th day of January, 2000.

FRANCES RIOS DE MORAN
CLERK OF COURT

José M. Morales

José M. Morales, Chief Deputy Clerk

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